

Message

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Subject: NEWS UPDATE: GOP Presses Administration To Speed NAS Review Of 'Carcinogens' Report (Inside EPA)

Daily News

GOP Presses Administration To Speed NAS Review Of 'Carcinogens' Report

Posted: July 23, 2012

Two key Republicans on the House science committee are accusing the Department of Health & Human Services (HHS) of delaying negotiations on, and trying to limit the scope of, a congressionally mandated review by the National Academy of Sciences (NAS) of the styrene and formaldehyde listings in the 12th annual Report on Carcinogens, a document that EPA and other regulators use for regulatory purposes.

Citing concerns raised by NAS in a recent letter, energy and environment panel Chairman Andy Harris (R-MD) and oversight panel Chairman Paul Broun (R-GA) wrote a July 23 letter to HHS Assistant Secretary Howard Koh “to express our concern with [HHS'] delay” in completing the contract with NAS.

The GOP letter comes days after the House Appropriations Committee's HHS subcommittee advanced a fiscal year 2013 appropriations bill that would block the National Toxicology Program (NTP), the HHS program that conducts the report, from spending any money on the RoC until 30 days after NAS completes its peer review. The panel approved the bill July 18, an Appropriations Committee spokeswoman says.

At issue is report language Congress attached to HHS' FY12 spending bill that directed the department to contract with NAS to peer review the listings of formaldehyde and styrene in the 12th RoC, a congressionally mandated biennial report of the NTP. The 12th RoC has come under fire from industry, which has argued the listing of formaldehyde as “reasonably anticipated” to be a carcinogen and styrene as a “known” carcinogen are not justified by the science and which has raised broader scientific and procedural concerns about the process by which NTP lists chemicals.

And Broun has suggested that Congress should seriously consider calls by federal small business advocates to eliminate the RoC if the process for listing substances as carcinogenic is not adequately reformed. While the report is not a regulatory document, California uses NTP listings to list carcinogenic substances for disclosure under its Prop. 65 program and EPA uses NTP's cancer risk data as the basis for listing releases that facilities must report to its Toxics Release Inventory.

While NTP has drawn significant criticism over its recent RoC, the agency has defended the study, saying it is complying with its congressional mandate and basing its RoC on expert panel opinions and hundreds of peer-reviewed papers. “Our charge from Congress is to evaluate the potential for compounds to be known carcinogens or reasonably anticipated [carcinogens]. Our charge is not to evaluate regulatory consequences,” NTP Director Linda Birnbaum said at an April 25 hearing.

'Unprecedented Requests'

While NAS earlier this year proposed a contract for the review, HHS responded by making “unprecedented” requests of the scientific body as the two entities try to work out a contract for NAS to review the RoC listings, according to a July 13 NAS letter the two lawmakers cite. “In our considerable experience with solicitations from federal agencies, many of these requests from [HHS] are unprecedented in their nature and level of detail,” the NAS letter says.

“Some of these queries are especially puzzling in view of the well-established reputation of the National Academies, the many thousands of studies successfully performed by the National Academies in the past . . . the fact that HHS was directed by Congress to contract with the National Academy of Sciences for these studies in the 2012 appropriations report for HHS, and the fact that many of these queries were already addressed in the proposals and list of exceptions that the National Academies previously sent to HHS.”

For instance, HHS asks NAS to apply the current RoC listing criteria -- which industry has criticized as lacking transparency and not applying enough of a weight-of-evidence approach -- in assessing the soundness of the styrene and formaldehyde listings.

NAS responds that it views such a request as inconsistent with the report language and that “obviously, such reviews will necessarily evaluate the criteria used in the RoC as well as the published literature and other

evidence,” NAS writes.

“Congress did not allow that the Academy should accept the 'established RoC listing criteria' as a basis for its reviews,” NAS adds.

In their July 23 letter, Broun and Harris seize on NAS' responses and call on HHS “to provide your prompt and personal attention to identifying the reasons for the multiple and redundant questions of the National Academies to acquiesce to HHS' demands on how NAS should conduct a scientific peer review of the 12th RoC. Further, given that these 'unprecedented' actions have considerably delayed the contract, we would like to know what actions you will take to expedite the development of the contract with NAS.”

The lawmakers suggest that the revelations appear to add to their ongoing concerns about the speed at which HHS is implementing the contract, concerns that industry has also raised -- *Puneet Kollipara*

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